
Policy on Wetlands of International Importance

AGENCY: Fish and Wildlife Service, Interior

ACTION: Notice.

SUMMARY: This notice states the policy and guidelines for the nomination of additional sites to the List of Wetlands of International Importance (list). This action is taken in accordance with the articles of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat, to which the United States is a full party. These guidelines are needed to (1) assure that petitions for listing are consistent with Convention criteria and obligations; and (2) allow mechanisms for appropriate review of proposed site nominations.

DATES: These policies and guidelines shall become effective May 14, 1990.

FOR FURTHER INFORMATION CONTACT: Lawrence N. Mason, Chief, Office of International Affairs, U.S. Fish and Wildlife Service, Room 860 ARLSQ, Department of the Interior, Washington, DC, 20240, telephone: (703) 358-1754.

SUPPLEMENTAL INFORMATION: The Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Convention) was concluded in Ramsar, Iran, February 2, 1971. A Protocol to the Convention was concluded in Paris on December 3, 1982. The Convention was signed by the United States on September 13, 1985.

The President signed instruments of ratification on November 10, 1986, and these documents were deposited with the United Nations on January 18, 1987. The United States became a full party to the Convention on April 18, 1987.

Draft policies and procedures were published in the Federal Register on April 11, 1989 (54 FR 14396). Approximately a dozen comments were received in response to the April 11 notice. While favorable in nature, these comments made two specific points: (1) That nominations should be considered only in close coordination with the State, Commonwealth, or Territorial government wherein the proposed site is located; and (2) that guidelines adopted by the Convention for interpreting listing criteria could be useful to those proposing additional sites for the list. The Service reaffirms its policy to consider proposed sites only if there is concurrence from the

State, Commonwealth, or Territory wherein the site(s) is(are) located; and the Service agrees that inclusion of non-binding guidelines for interpreting listing criteria would indeed assist persons or organizations proposing additional sites for the list.

One aspect of the Convention is its requirement that parties identify wetlands of international importance and list them under the auspices of the Convention. The listing serves to highlight the values of these sites but affects neither the management regime for these areas nor resource use within them. Contracting Parties to the Convention are to formulate and implement their planning so as to promote the conservation of the wetlands included in the List and as far as possible the wise use of wetlands in their territory. Further, Contracting Parties to the Convention are obliged to maintain their ecological character of those wetland areas included in the List. If changes in the ecological character resulting from technological developments, pollution or other human interference occur, the Contracting Party is to forward notification to all Contracting Parties and arrange for these matters to be discussed at the next Conference. Countries joining the Convention are required to list at least one wetland of international importance based upon the following criteria established by the Convention. These criteria are provided for information:

Criteria for Identifying Wetlands of International Importance—Regina, Canada 1987

A wetland is suitable for inclusion in the List if it meets any one of the criteria set out below:

1. Criteria for assessing the value of representative or unique wetlands. A wetland should be considered internationally important if it is a particularly good example of a specific type of wetland characteristic of its region.

2. General criteria for using plants or animals to identify wetlands of importance. A wetland should be considered internationally important if:

(a) it supports an appreciable assemblage of rare, vulnerable or endangered species or subspecies of plants or animals, or an appreciable number of individuals of any one or more of these species; or

(b) It is of special value for maintaining the genetic and ecological diversity of a region because of the quality and peculiarities of its flora and fauna; or

(c) It is of special value as the habitat of plants or animals at a critical stage of their biological cycles; or

(d) it is of special value for its endemic plant or animal species or communities.

3. Specific criteria for using waterfowl to identify wetlands of importance.

A wetland should be considered internationally important if (a) It regularly supports 20,000 waterfowl; or (b) it regularly supports substantial numbers of individuals from particular groups of waterfowl, indicative of wetland values, productivity or diversity; or (c) where data on populations are available, it regularly supports 1 percent of the individuals in a population of one species or subspecies of waterfowl.

Using earlier versions of the criteria endorsed by the Convention of Parties, the United States has nominated, and the Conference of Parties has accepted, seven sites to the List of Wetlands of International Importance. These are: Ash Meadows National Wildlife Refuge, Nevada; Forsythe National Wildlife Refuge, New Jersey; Okefenokee National Wildlife Refuge, Georgia/Florida; Izembek National Wildlife Refuge and State Game Range, Alaska; Everglades National Park, Florida; Chesapeake Bay Wetlands System, Maryland/Virginia; Cheyenne Bottoms Wildlife Area, Kansas.

To assist Contracting Parties in assessing the suitability of a particular wetland for the inclusion on the List, the Conference of the Parties has formulated the following guidelines:

1. A wetland could be considered of international importance under Criterion 1 if, because of its outstanding role in natural biological, ecological, or hydrological systems, it is of substantial value in supporting human communities dependent upon the wetland. In this context, such support would include: (a) Provision of food, fibre, or fuel; or, (b) maintenance of cultural values; or, (c) support of food chains, water quality or flood control. The support, in all its aspects, should remain within the framework of sustainable use and habitat conservation, and should not change the ecological character of the wetland.

2. A wetland could be considered of international importance under Criterion 1, 2, or 3 if it conforms to additional guidelines developed at the regional or national level. Elaboration of such region or national guidelines may be especially appropriate:

(a) Where particular groups of animals or plants (other than waterfowl) are

considered more suitable as a basis for evaluation; or

(b) Where animals and waterfowl do not occur in large concentrations (particularly in northern latitudes); or

(c) Where collection of data is difficult (particularly in very large countries).

3. The 'particular groups of waterfowl, indicative of wetland values, productivity or diversity' in Criterion 3(b) include any of the following: loons or divers; Gaviidae grebes; Podicipedidae herons and bitterns; Ardeidae storks; Ciconiidae swans, geese and ducks (waterfowl); Anatidae shorebirds or waders; Charadrii terns; Sternidae.

I. Purpose

The purpose of this notice is to establish U.S. Fish and Wildlife Service policy, guidelines and procedures for nominating sites to the List of Wetlands of International Importance. It provides supplemental guidance to the Convention for determining site eligibility.

II. Authority

The authority for establishment of these guidelines flows from the United States Senate ratification of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat, which is deemed to be self implementing.

III. Scope

This policy is limited to evaluation of proposed sites for nomination to the List of Wetlands of International Importance. It is not intended for any other use.

IV. Policy of the U.S. Fish and Wildlife Service on Wetlands of International Importance

The Service's commitment to wetlands conservation is addressed in a number of documents, most recently the National Wetlands Priority Conservation Plan. The Fish and Wildlife Service Policy and Guidelines on Wetlands of International Importance was developed to ensure compliance with the Protocol and articles of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat. In reviewing sites eligible for inclusion to the List, it will be the policy of the Service to consider for nomination only those sites where:

(1) The ownership rights are free from encumbrances or dispute and the Lands are in public or private management that is conducive to the conservation of wetlands.

(2) Maintenance of the ecological and hydrological characteristics of the site(s) should be reasonably assured such that future actions would not result in delisting by the Conference of Parties; and

(3) Proposed sites will only be considered if there is concurrence from the State, Commonwealth or territory where the site(s) is(are) located.

V. Description of Guidelines for Site Nomination

In order to solicit appropriate nominations to the List of Wetlands of International Importance, the Service will public an annual Action Notice in the Federal Register. The Action Notice will specify the time frame for submissions and where materials may be sent. Nominations can be made only by the appropriate administrative authority for a site. For the purpose of nominating sites, the appropriate administrative authority is defined as the party holding title to the land area. Nominations must have the endorsement/concurrence from the State(s), Commonwealth or territory in which the site is located. Supporting information for site nominations should include the following:

Nominating authority. Include name, address and other pertinent information on the administrative authority submitting the site nominations.

Geographical location. Details such as latitude and longitude coordinates, and nearby features, settlements, and other identifying characteristics should be provided.

In addition, include detailed maps of both the site as well as the surrounding areas if they are available.

Site description. This section comprises both a physical and a biological description of the site. The physical description includes details of geomorphology, hydrology, and climate, while the biological description includes a brief review of habitat types, with lists of both typical and noteworthy fauna and flora.

Criteria for inclusion. Specify the criterion (a) as listed by the Convention of Parties, that qualifies the site as a Wetland of International Importance. Highlight those factors for which the site has been generally considered to be of particular importance.

Area. Identify the total area (in hectares) of the proposed site including information on terrestrial and aquatic components.

Management practices. Note management practices and traditional activities that take place.

Changes in ecological character. Give a brief synopsis of the natural history of the area and note any land use changes or impacts to the ecological functions or character of the area.

Degree of Protection. Note any State, local, national or international recognition or designation afforded to the site. Indicate if any activities are controlled or prohibited.

Scientific research and facilities. Highlight research underway or facilities provided (if any) for research interests.

Reference material. Note any key publications, reports, or documents used to compile the information presented. This is not intended to be a complete reference list.

The Service will coordinate review of proposed site(s) for inclusion to the List with the appropriate State, Federal and non-governmental organizations. It is not the intention of the Service to maintain a standing backlog of sites for nomination, but rather to solicit prospective sites from the Federal and State agencies, private organizations and the scientific community via the Action Notice procedures described above. Once reviewed, those nominations that adhere to the criteria and policies set forth above will be formally presented to the Convention Secretariat by the Director of the U.S. Fish and Wildlife Service.

Action taken by the Secretariat will be announced in the annual Action Notice described previously in section V. Management authorities for nominated sites will be forwarded information on actions taken by the Secretariat immediately.

Dated: April 6, 1990.

Richard N. Smith,
Acting Director.
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